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Director's Office  
Office of Patent Publication

In re Application of :  
Mohammad Abdallah, et al. :  
Application No. 09/053,006 :  
Filed: March 31, 1998 :  
Attorney Docket No. 042390.P4918 :

**DECISION ON PETITION**

This is a decision on the response to notice of abandonment received August 14, 2000, which is being treated as a petition for withdrawal of holding of abandonment in the above-mentioned application.

The petition is **DISMISSED**.

The application was held abandoned for failure to timely pay the issue fee on or before April 18, 2000.

The petition states that a Continued Prosecution Application (CPA) was filed on April 5, 2000. To support this assertion, the petitioner has submitted a copy of the Fee Transmittal and a copy of the Utility Patent Application Transmittal.

The Patent and Trademark Office (PTO) acknowledges receipt of the Fee Transmittal, the Utility Patent Application Transmittal and the Preliminary Amendment, as evidence by the Office Date Stamp on April 5, 2000. However, neither of the aforementioned forms indicated that a CPA was being filed. The Fee Transmittal only indicates that a payment is enclosed in the amount of \$690 for the Utility filing fee. The Patent Application Transmittal indicates that the Free Transmittal Form is being filed with a Preliminary Amendment and Return Receipt Postcard.

Unfortunately, this showing fails to establish that a Continued Prosecution Application was ever filed in the Office.